

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

JOSEPH CIACCIARELLI,

Plaintiff,

vs.

Civil Action No. 6:13-CV-650
(DNH/ATB)

COMMERCIAL TRAVELERS
MUTUAL INSURANCE COMPANY,

Defendant.

APPEARANCES:

JOSEPH A. DETRAGLIA, ESQ. for plaintiff
MICHAEL J. SCIOTTI, ESQ. for defendant

DAVID N. HURD, United States DISTRICT JUDGE

JUDGMENT DISMISSING ACTION BASED UPON SETTLEMENT

The pursuant to the report of the mediator (Dkt. No. 16) , the parties have entered into an agreement in settlement of all claims in this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

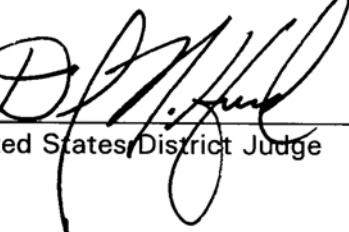
ORDERED, as follows:

- 1) The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty days of the date of the filing of this order upon a showing that the settlement was not consummated;
- 2) The dismissal of the above captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty days of the date of filing of this order upon a showing that

the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and file a **Stipulation of Discontinuance** with the Court that must include language "that no party hereto is an infant or incompetent" in compliance with N.D.N.Y.L.R. 41.3; and

- 3) The Clerk shall serve copies of this Judgment upon counsel in this matter by electronic means.

IT IS SO ORDERED



United States District Judge

Dated: October 28, 2013
Utica, New York